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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-fourth session

SUMMARY RECORD OF THE 1326th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 16 March 1999, at 10 a.m.

Chairman: Mr. ABOUL-NASR

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 4) (continued)

Thirteenth and fourteenth periodic reports of Kuwait (continued) (CERD/C/299/Add.16 and Corr.1)

1. At the invitation of the Chairman, the members of the delegation of Kuwait resumed their places at the Committee table.

2. The CHAIRMAN informed the members of the Committee that the delegation of Kuwait had distributed a bilingual English/Arabic document containing detailed statistics relating, for example, to the population by nationality and sex, the composition of schools, courses and subjects taught, the number of students admitted to the university and health centres.

3. Mr. RAZZOOQI (Kuwait) said that Kuwait had done its best to disseminate as much information as possible on the Committee's work on racial discrimination and the provisions of the Convention. The Police Academy gave courses on human rights and racial discrimination, while Kuwait University had a department specializing in the teaching of human rights and the provisions of the Convention. A law prohibited the publication of racist literature.

4. With regard to the question of refugees, the figures given by the Office of the United Nations High Commissioner for Refugees (UNHCR) were wrong. There were not 29,000 refugees, but 4,194, including 52 Afghans, 1,743 Iraqis, 2,145 Palestinians, 162 Somalis and 18 of other nationalities. The Kuwaiti authorities had invited the International Committee of the Red Cross to visit the country and Kuwait had nothing to hide from it, particularly as it had helped to deal with the cases of prisoners of war and missing persons during the Gulf war. Of the 605 persons who were still missing, Iraq had recognized only 126 cases since 1991. Iraq claimed not to know what had happened to the missing persons as a result of a sudden revolt which had reportedly taken place in Iraq after the liberation of Kuwait. In Kuwait's view, that question was more of a humanitarian than of a political nature, since entire families wanted to know where their brothers, fathers, husbands and uncles were. Moreover, the third and fourth Geneva Conventions provided for the right of all countries to know the fate of their nationals who had disappeared in time of war. Kuwait hoped that, following the assessment of the situation which the Security Council was in the process of carrying out, light might be shed on the fate of those persons.

5. There were no Kuwaiti refugees. Even while it had been in exile during the Gulf war, the Government had continued to guarantee the education and health care of all Kuwaitis, wherever they might be. Kuwait had compensated the nationals of 120 countries who had been living in Kuwait and who had had to leave the country, leaving everything behind. Those who had been in Kuwait, whether or not as employees and who had also had to leave the country, had also been able to receive compensation from Kuwait.

6. Referring to the question of foreign workers and of domestic employees, in particular, he indicated that he had recently transmitted a report to the Commission on Human Rights on

Kuwait's policy in that regard and on the administrative and legislative provisions in force. The question of employment was, however, very complex, particularly because it had political implications for manpower-exporting countries. There was often a problem of communication between employers and employees, most of whom did not speak Arabic or English.

7. He had held meetings with the representatives of manpower-exporting countries, including Nepal, to ensure that persons who came to work in Kuwait at least had some basic knowledge of another language. Bilateral agreements had also been concluded with the manpower-exporting countries and legislation had been adopted to govern the foreign manpower situation in Kuwait and the remuneration of middlemen. It was true that the country had problems in that regard, but the authorities were doing everything they could to solve them.

8. Kuwait earmarked 4 per cent of its GDP for development assistance, and that was considerably more than the 0.1 and 0.4 per cent granted by the majority of countries. Kuwait also offered technical assistance to other Arab countries and to African, Asian and Latin American countries.

9. His Government had given its point of view on each of the complaints submitted by Filipino nationals. The Sub-Commission on Prevention of Discrimination and Protection of Minorities had found two communications submitted by Filipino nationals inadmissible the previous year. The Government had not deemed it necessary to include information in its report on those two cases because of the confidential nature of the proceedings, but would provide the Committee with Kuwait's replies on the two communications.

10. As to the status of women in Kuwait, he indicated that, under article 29 of the Kuwaiti Constitution, women enjoyed rights guaranteed by the Constitution on the same basis as men and were placed on a footing of equality with them. Those rights included the right to education, the right to work and the right to own property. Kuwaiti women had full access to all jobs and a woman was now the Kuwaiti ambassador to South Africa. Women were treated in the same way as men, except in respect of elections. It was true that women in Kuwait did not have the right to vote, but that was not a matter within the Government's jurisdiction. Only the National Assembly was authorized to amend the electoral legislation in force in the country.

11. Referring to the question of foreigners, he explained that per capita income in Kuwait was one of the highest in the world and that, consequently, the country had become very attractive for foreigners. Kuwaitis benefited from free education and health care and the possibility of studying abroad at State expense. The authorities had to find a job for every degree holder, taxes did not exist and electricity and the telephone were subsidized. Kuwait had admittedly had a serious national security problem during the Gulf war, but the Government did not take harsh measures against foreigners.

12. Mr. AL-KHUDHAÏR (Kuwait), referring to the implementation of article 4 of the Convention, said that Kuwait was currently considering a draft amendment to Act No. 16 of 1960 which would prohibit any incitement to discrimination based on sex, origin, language, religion or belief and ethnic or tribal membership.

13. Under that amendment, officials who did not respect full equality between citizens would be liable to criminal prosecution.

14. In that connection, his delegation had taken note of the comment by a member of the Committee that discrimination should not be punishable only when it was exercised "against citizens", but in all cases. That comment would be duly taken into account.

15. Apart from the draft amendment to the 1960 Act, several provisions of laws in force already punished some forms of incitement to racial hatred, such as article 27 of the Act on the dissemination of newspapers and magazines containing incitement to murder or hatred among the members of society. Under article 28 of that Act, the editor-in-chief of the publication and the author of the article were liable to six months' imprisonment and/or a fine and those penalties were doubled in the case of a repeated offence. The issue of the newspaper or magazine in question could be seized and the publication of the headline in question could be suspended or even prohibited by the court.

16. Criminal law also provided for harsh penalties for offences such as sexual violence and other ill-treatment of household and domestic employees. There was an entire body of case law in that regard, as well as statistics which would be communicated to the Committee. He referred, for example, to the case of a Kuwaiti who had been sentenced to 10 years' imprisonment for having beaten his Filipino cleaning woman, who had died of her injuries.

17. In accordance with article 5 (a) of the Convention, Kuwait recognized the right of bidoon and household employees to appeal to the courts. That right was guaranteed by law and rather frequently used, as shown by the case law his delegation could make available to the Committee.

18. Another example of equality of treatment in court was the trial in the State Security Court of the persons accused of attempting to murder President George Bush. The accused, most of whom had been members of the Iraqi intelligence services, had benefited from all rights of the defence and, in particular, from the assistance of counsel paid for by the State. The hearings had been public and the proceedings identical to those in the ordinary courts. The accused would, for example, have been able to appeal if they had considered that they had been subjected to discrimination.

19. With regard to the right to just and favourable conditions of work, as provided for in article 5 (e) of the Convention, the Government had always protected the rights of workers, both labourers and State officials, without any discrimination. A special committee had been set up to compensate the victims of work accidents and illnesses and his delegation could provide the Committee with a document indicating both the nationality of the persons concerned and the amount of compensation paid.

20. Mr. AL-OSAIMI (Kuwait) said he would reply to the questions that had been asked on nationality.

21. Kuwait was a country where the legislation on nationality was quite recent because, until the early 1960s, there had been very few foreigners and it had not been deemed necessary to regulate the acquisition of nationality. The problem had begun with the start of oil drilling and the resulting inflow of foreign workers.

22. The decree containing the Kuwaiti Nationality Act had been published in 1959. Under the new Act, anyone who had been residing in Kuwait prior to 1920 had been able to obtain Kuwaiti nationality. Persons who had served the country and, since 1994, children whose father had been naturalized could also acquire Kuwaiti nationality. The children of Kuwaiti women and the wives of Kuwaitis could also obtain Kuwaiti nationality under certain conditions.

23. Mr. AL RADHAN (Kuwait), referring to the right to work, said his delegation had realized that the problem of household employees and, in particular, women domestic employees was a matter of concern to the members of the Committee.

24. For many years, recruitment agencies had been free to operate as they had wished and had obviously been more concerned with their own interests than with the protection of their employees' rights, and that had paved the way for all kinds of abuse, including acts of violence.

25. The Ministry of the Interior had reacted and adopted rules and regulations as a result of that situation. Act No. 40 of 1992 now governed the activities of placement offices specializing in the recruitment of household employees and related staff. An inspection department had also been established and checks were carried out in agencies to ensure that their papers were in order and that they issued proper employment contracts to their employees. His delegation could make a standard work contract available to the Committee. If an agency was found wanting and refused to cooperate or improve its practices, it could be brought before the courts. However, that type of problem was usually settled out of court.

26. Under the new regulations, agencies also had to deposit about $15,000 with the Ministry of the Interior to cover the repatriation costs of employees in the event of a problem. Following the adoption of Order No. 617 of 1992 on the authorization of placement offices, there were now only 292 registered recruitment agencies in the country.

27. With regard to the comment that girls aged under 20 were illegally entering Kuwait as maids, he pointed out that Kuwaiti law prohibited the employment of persons aged under 20 and over 50 as domestic servants. If it was discovered that a person not within the authorized age range was being employed by a Kuwaiti family, that person was systematically sent home.

28. As far as the medical coverage of household employees was concerned, they were entitled to free hospital care as full members of the family which employed them. The cost of medical care was thus covered by the State.

29. If household employees were subjected to inhuman or degrading treatment, the Ministry of the Interior took all the necessary measures when a complaint was filed. An investigation was conducted immediately and, if it was proved that acts of violence covered by the Penal Code had been committed, the case was referred to the courts. Employers who had been convicted were not allowed to recruit domestic employees again.

30. Household employees enjoyed full freedom of religion and belief and could worship and attend religious services. Employers usually gave them a day off each week for that purpose, either on Friday or on Sunday. They also had to allow their employees to celebrate their religious holidays.

31. In connection with training and education opportunities for household employees, Kuwait had many private schools where foreign children could receive instruction in their own language that was in keeping with their religion, culture and customs. The children of household employees could, of course, attend such schools, provided that their parents were legally resident in Kuwait.

32. Mr. RAZZOOQI (Kuwait), referring to the problem of household employees, said that an agreement signed by Kuwait and the Philippines, the main supplier of domestic employees, had just been published in the Official Gazette. A copy of the agreement would be made available to the Committee.

33. Mr. AL REESH (Kuwait), replying to a question asked at the preceding meeting on the difference between Bedouins and bidoon, said that bidoon were actually stateless persons or persons who claimed to be stateless and who lived in Kuwait illegally. They should, rather, be called "illegal residents". In most cases, they had entered Kuwait to try to improve their financial situation or benefit from greater political security. Many claimed to be stateless, but had simply hidden their identity papers in order to try to obtain Kuwaiti nationality by taking advantage of the transitional provisions introduced in the country in the early 1960s following the adoption of the Nationality Act. When the Act had been promulgated, a number of Kuwaiti citizens who should normally have appeared before the nationality determination committees for registration had failed to do so because they had not been aware of the importance of that procedure. They were therefore not recognized as Kuwaiti nationals, but, until their case had been decided, they were nonetheless treated as Kuwaitis. Such tolerance had attracted a large number of immigrants, whether legal or not, who had managed to sneak in and had claimed to be undeclared Kuwaitis. One had only to look at the figures to see that that was true. In 1960, it had been estimated that there had been no more than 7,000 unregistered Kuwaitis, but, at the time of the Iraqi invasion, there had been around 220,000, and that could obviously not be the result of natural population growth.

34. Bedouins, who were nomads who usually moved around the Kuwaiti desert, were full Kuwaiti citizens.

35. At present, there were 112,000 illegal residents. Prior to Iraq's invasion, there had been 220,000. About 45 per cent of them had applied for Kuwaiti nationality. The applications had been considered on a case-by-case basis with all the necessary attention by the executive committee in charge of matters relating to them. Over 50,000 had acquired Kuwaiti citizenship.

36. The following criteria had been used to grant 92,983 residence permits: to be registered on the lists of the executive committee dealing with illegal residents, to be aged over four and to provide a recent photograph. The permit was issued on the same day.

37. Illegal residents were entitled to free medical and hospital care in public facilities.

38. With regard to the right to education, over 30,000 children in that population category attended school and, for 21,700 of them, the State paid registration fees costing $12 million per year.

39. The right to work was guaranteed in the private and public sectors. In the public sector, illegal residents enjoyed the same rights as Kuwaiti citizens.

40. In connection with questions of marital status, marriage contracts were recorded with the courts and the Ministry of Justice and birth certificates were granted on request.

41. With regard to the question on the number of illegal residents present in Kuwaiti territory in 2006, he said that the figure of 200,000 which had been put forward seemed quite unlikely, partly because some of them would have had their situation regularized and partly because some others would have obtained Kuwaiti citizenship in accordance with the provisions of the Nationality Act, and there should thus be fewer of them.

42. Referring to the dissolution of the central committee in charge of considering the situation of illegal residents, he said that the committee had completed its preparatory work on the analysis of the situation of such residents and had submitted five reports to the Ministry of the Interior. The executive committee had then been set up to continue that work and find ways of solving the problem.

43. As to the date when the Kuwaiti Government hoped to have finally settled that question, he said that, if account was taken of the need to grant Kuwaiti citizenship to all persons who could legitimately claim it, the cases should all have been settled by about 2003.

44. Mr. RAZZOOQI (Kuwait), replying to a question by Mr. Diaconu, said that Kuwait had 47,497 foreign workers in its territory, including Jordanians, Palestinians, Iraqis, Sudanese and Yemenites. Agreements on employment regulations had been concluded with the States concerned, except in the case of the Palestinians, who were subject to specific provisions agreed on with the Palestinian Authority.

45. With regard to foreign labourers who were subjected to ill-treatment and whose respective Governments had filed complaints in that regard, the statistics of the Ministry of Justice showed that compensation had been paid in several of those cases. Eighty per cent of individual complaints were settled out of court, while the rest were decided on the basis of legal proceedings.

46. Mr. RECHETOV, referring to the statistics communicated by Kuwait, said it was regrettable that they had been received so late and that the members of the Committee had thus been prevented from considering them in greater detail.

47. With regard to the "non-Kuwaitis" referred to on page 9 of the document containing the statistics, he wished to know whether they were persons who did not have Kuwaiti citizenship or Kuwaiti citizens who were not regarded as such for one reason or another.

48. According to page 9, there had also been a sharp decline in the number of "non-Kuwaitis" between the 1985 and 1995 censuses, although the number of Kuwaitis had been multiplied by 1.5 during that time. He would like some clarifications in that regard.

49. On page 247 of the document on the number of students and teachers in Kuwaiti government schools, he was surprised to see that the number of non-Kuwaiti students was much lower than that of Kuwaiti students, since that difference was not representative of the population. He wished to know why non-Kuwaiti students were so poorly represented in the educational system.

50. On page 269 relating to the number of students at Kuwait University according to field of study, he noted that there were no students registered in the college of law. Was law not taught - something he doubted - or were legal subjects taught as part of the field of study entitled "shariah"? In that connection, he noted that there were no non-Kuwaiti students studying comparative jurisprudence and he wished to know whether that was simply a coincidence.

51. Those questions clearly showed that, if the document in question had been made available to the Committee sooner, it would probably have prompted many questions.

52. The CHAIRMAN said that the document had been sent three months previously to the secretariat and that the fact that the Committee had not received it sooner was therefore due to circumstances beyond the control of the Government of Kuwait.

53. He nevertheless stressed that statistics must always be interpreted with a great deal of caution, taking account, in particular, of events in the territory of the State party during the period under review. In the present case, the war with Iraq had brought about major changes in the composition of the population, since many people had fled to other countries.

54. Mr. SHAHI noted that the delegation was composed of representatives of different branches of government, thus proving that Kuwait took its obligations under the Convention seriously.

55. The statements by the members of the delegation had explained a number of points and, in particular, the situation of women, household employees and bidoon or "illegal residents".

56. He commended the efforts the State party was making in all sensitive areas, particularly as it had had to deal with the tragic consequences of the war.

57. He would nevertheless like the next report to contain more information on proceedings instituted in connection with the implementation of the provisions of article 4 of the Convention and the compensation obtained by Kuwaiti and non-Kuwaiti victims. Those would be specific elements in the implementation of the Convention.

58. Mr. RAZZOOQI (Kuwait), replying to Mr. Rechetov, said that the term "Kuwaitis", as used in the statistical document, meant Kuwaiti citizens, since "non-Kuwaitis" were nationals of other countries.

59. With regard to population variations between the 1985 and 1995 censuses, he recalled that the Iraqi invasion between those dates had caused many persons to flee and they had not returned. In addition, many immigrants came to work in Kuwait only for a few years, leaving their families in their countries of origin. Since they were about 25 years old, that could explain why non-Kuwaitis were not well represented in the educational system. That trend had become even more marked after the Iraqi invasion.

60. He thanked the Committee for its advice. He would do everything he could to ensure that the Committee's comments and concluding observations were taken into account in the next report.

61. Mr. YUTZIS (Country Rapporteur) thanked the Kuwaiti delegation for the especially full and enlightening information it had submitted to the members of the Committee about Kuwaiti society. He had been pleased to learn that Talha prison, about which the Committee had received alarming information, no longer existed and that an agreement on conditions of employment of Filipinos was soon to be concluded with the Government of the Philippines.

62. The dialogue with the delegation of Kuwait had reflected, inter alia, the Government's determination to ensure the full implementation of article 4 of the Convention. That objective required the Government to take all the appropriate administrative, legislative and judicial measures to prohibit and punish any organization which practised or incited the practice of racial discrimination.

63. In the Spanish text of the Committee's concluding observations on the tenth to twelfth periodic reports of Kuwait (A/48/18, para. 376), the term "bidoon" had been mistranslated as "beduino" (Bedouin). In that connection, he stressed that the requirement of clarity and precision meant that the use of terms had to be standardized on the basis of knowledge of the societies under consideration.

64. He welcomed the quality of the dialogue which had been established with the delegation of Kuwait. It was a further example of the effectiveness of the procedure for the consideration of the periodic reports of States parties based on communication and ongoing exchanges between the Committee and States parties. He thanked the Kuwaiti delegation for the efforts it had made to facilitate the dialogue and said he hoped that, in its next periodic report, Kuwait would provide the Committee with the specific information on the demographic composition of Kuwaiti society which it needed to be in a better position to monitor the implementation of the Convention in its territory.

65. The CHAIRMAN warmly thanked the delegation of Kuwait for the spirit of dialogue in which it had taken part in the consideration of its country's periodic report and accepted the comments by the members of the Committee. The Committee had thus completed its consideration of the thirteenth and fourteenth periodic reports of Kuwait.

66. The delegation of Kuwait withdrew.

Draft concluding observations concerning the thirteenth and fourteenth periodic reports of Finland (continued) (CERD/C/54/Misc.28/Rev.1, text distributed in the meeting room in English only)

Paragraphs 1 to 12

67. Paragraphs 1 to 12 were adopted.

Paragraph 13

68. Mr. van BOVEN, agreeing with Mr. SHERIFIS (Country Rapporteur), proposed that paragraph 13 should be deleted.

69. Paragraph 13 was deleted.

Paragraphs 14 to 17

70. Paragraphs 14 to 17 were adopted.

Paragraph 18

71. Mr. van BOVEN proposed that the following sentence should be added at the end: "It is recommended that the quota system be applied without discrimination based on race or ethnic origin".

72. Paragraph 18, as amended, was adopted.

Paragraphs 19 to 22

73. Paragraphs 19 to 22 were adopted.

74. The draft concluding observations concerning the thirteenth and fourteenth periodic reports of Finland, as a whole, as orally amended, were adopted.

The meeting was suspended at 12.25 p.m. and resumed at 12.30 p.m.

PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING MEASURES AND URGENT ACTION PROCEDURES (agenda item 3) (continued)

Draft concluding observations concerning the situation in Yugoslavia (continued) (CERD/C/Misc.30/Rev.2, text distributed in the meeting room in English only)

Paragraphs 1 and 2

75. Paragraphs 1 and 2 were adopted.

Paragraph 3

76. Mrs. SADIQ ALI proposed that the word "current" in the first line should be deleted.

77. Paragraph 3, as amended, was adopted.

Paragraph 4

78. The CHAIRMAN, speaking as a member of the Committee, proposed that the word "However" should be added at the beginning of the paragraph and that the words "present and" should be added at the end of the fifth line, which would then read "some of its present and past actions". He also proposed that the word "also" in the penultimate sentence should be deleted, the sentence would then read: "... it is an established fact that grave human rights violations have been committed by the State party".

79. Mr. NOBEL (Country Rapporteur) said that he was in favour of retaining the word "also" in order to indicate in a balanced way that the two parties to the conflict in Kosovo had committed serious human rights violations.

80. The CHAIRMAN, speaking as a member of the Committee, said he was not convinced that such wording was balanced in respect of the two parties. The words "condemning all forms of terrorist activities" at the beginning of the last sentence would be enough and it would then not be necessary to use the word "also" in the penultimate sentence.

81. Mr. RECHETOV said that he was also not entirely satisfied with the text of the draft decision, but, since it was the result of a great deal of effort, he could agree that it should be adopted as it stood.

82. Mr. SHAHI said he regretted that the wording of the text was much less strong than that of the decision which the Committee had adopted in August 1998 when it had considered the situation in Yugoslavia. The text under consideration also did not reflect important new developments which had taken place since that time, especially the military operations in recent months in Kosovo, which had killed 2,000 persons and created over 200,000 refugees. Greater emphasis should be placed on the seriousness of the situation in Kosovo and the hope should be expressed that the Rambouillet (France) negotiations would lead to a peaceful settlement of the conflict in Kosovo. He agreed with Mr. Aboul-Nasr that paragraph 4 was not balanced enough.

83. Mr. GARVALOV recalled that, during the consideration of the situation in Yugoslavia, he had indicated that the second round of negotiations in Rambouillet had represented the only chance of arriving at a peaceful settlement of the conflict.

84. Mr. DIACONU said that paragraph 4 was balanced on the whole because it referred to terrorist activities, on the one hand, and to acts of violence and intimidation committed by the Government, on the other. The word "also" should be retained in the penultimate sentence in order to prevent violations from being attributed to one party only.

85. The CHAIRMAN, speaking as a member of the Committee, said he recognized that his view that paragraph 4 lacked balance was the minority position in the Committee. He would not object if the draft decision was adopted as it stood, but he would like his reservations to be placed on record. He did not think, moreover, that the Committee should refer to the Rambouillet negotiations, which were taking place outside the United Nations framework. Its recommendations or wishes should be addressed to the competent United Nations bodies and, in the present case, the competent body was the Security Council.

86. Mr. SHAHI said he continued to believe that the text of the draft decision was not balanced. However, a new debate on the question would be lengthy and difficult because of the differences of opinion in the Committee. He would therefore not object to the adoption of the draft decision, on the understanding that note would be taken of the reservations he wished to formulate, especially because there was no reference to the new developments which had taken place since the Committee's preceding session or to the large number of victims of the conflict in Kosovo.

87. Mr. YUTZIS said that the Committee should refrain from accusing the Kosovo Liberation Army (KLA) of terrorism because it, like the Serbian armed forces, was taking an active part in the conflict in Kosovo. Perhaps the Committee could avoid referring to the KLA by name in the fourth line by using wording such as "violations committed by armed groups linked to Kosovo", so that it did not have to refer to terrorism. He would also like the draft decision, which was particularly important, to be adopted without reservations that might weaken it.

88. Mr. van BOVEN drew attention once again to his reservations on the use in general of the word "terrorism".

89. Mr. NOBEL (Country Rapporteur) said that he had tried to prepare a balanced draft decision taking account of all aspects of the question being considered by the Committee. The problems to which paragraph 4 gave rise were less the result of differences of opinion than of differences of interpretation by the members of the Committee. He therefore suggested that it should be adopted with the minor amendments proposed by Mr. Aboul-Nasr.

90. Mr. RECHETOV recalled that the Committee had used the word "terrorist" in another statement which it had adopted at the current session. As that term referred to the acts of terrorism being committed by the two parties, he was inclined to support Mr. Nobel's proposal, which offered an acceptable solution.

91. The CHAIRMAN said he took it that the Committee accepted Mr. Nobel's proposal, as supported by Mr. Rechetov. Speaking as a member of the Committee, he said that he was not opposed to the adoption of paragraph 4 on the basis of that proposal, on the understanding that he maintained the reservations he had expressed during the debate on the use of the word "also" and the related imbalance.

92. Paragraph 4, as amended, was adopted.

Paragraph 5

93. The CHAIRMAN, speaking as a member of the Committee, proposed that the word "full" in the last sentence should be deleted and that the order of the sentence should be changed, so that it would read: "The solution should include a status of the highest level of autonomy for the province of Kosovo and respect for the territorial integrity of the State party".

94. Paragraph 5, as amended, was adopted.

Paragraph 6

95. Paragraph 6 was adopted.

96. The draft concluding observations concerning the situation in Yugoslavia, as a whole, as amended, were adopted.

The meeting rose at 1 p.m.